

U.S. Patent Application Serial No. **09/856,457**
Response dated March 22, 2004
Reply to OA of **November 10, 2003**

REMARKS

Claims 1-11 are pending in this application, with claims 10 and 11 currently withdrawn from consideration. No amendment to the claims is made in this response

Claims 1-7 and 9 are rejected under 35 U.S.C. §102(e) as being anticipated by WO 99/57602. (Office Action paragraph no. 5)

The rejection is overcome by the assertion of the claim for foreign priority in this application.

Applicants respectfully note that WO 99/57602 is **not** a reference under 35 U.S.C. 102(e). The international application date of this reference is April 30, 1999, which is before November 29, 2000. Only international applications filed after November 29, 2000, can serve as references under 102(e). Moreover, WO 99/57602 was published in Japanese; only PCT publications in English can serve as references under 102(e). (See MPEP 706.02(f)(1)I(C) in this regard).

WO 99/57602 was published on November 11, 1999, prior to the international application date of December 7, 1999, for the present application, which is the effective U.S. filing date of the present application. WO 99/57602 is therefore a reference under 35 U.S.C. 102(a) as of its publication date. U.S. Patent No. 6,633,722 to Kohara et al., the equivalent of WO 99/57602, has a 371 date of October 27, 2000, and is not in itself prior art.

Applicants therefore assert the claim for foreign priority of the priority documents JP10-347265 (filed December 7, 1998) and JP11-022049 (filed January 29, 1999), which predate the 35 U.S.C. 102(a) date of November 11, 1999, of the reference. The claim for foreign priority has

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already been made and the certified copies of the priority documents have been filed in this application.

Applicants here attach verified translations of the priority documents in accordance with 37 CFR 1.55(a)(4), and MPEP 201.15. Support under 35 U.S.C. 112, first paragraph, for claims 1-7 and 9 is discussed below.

Applicants first note that Figs. 1A, 1B, 1C and 1D of the present application are essentially identical to Figs. 1(A), (B), (C), and (D) of JP10-347265 and Figs. 1(A), (B), (C), and (D) of JP11-22049. Figs. 2A, 2B, 2C, 2D and 2E of the present application are essentially identical to Figs. 2(A) to (E) of JP10-347265. Fig. 3A of the present application is essentially identical to Fig. 2(A) of JP11-22049 and Fig. 3A of JP10-347265. Fig. 3B of the present application is essentially identical to Fig. 2B in JP11-22049 and Fig. 3B in JP10-347265.

Support for original claim 1 of the present application can be found in claim 1 of priority application JP10-347265, which is nearly identical to original claim 1 of the present application, differing only slightly in wording and in the specific mention of JIS-K-6719 in the priority application claim.

Written description support for original claim 2 of the present application can be found in paragraphs [0084] to [0087] of JP11-22049, which disclose the light guide plate, the incidence face, the emission face, and the sectional shape becoming gradually thinner. The nonincidence face in claim 2 (reference numeral 100d in the present application) is referred to as “opposed face 100d” in JP11-22049. Similar support can be found in paragraphs [0070] to [0071] of JP10-347265.

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Claim 1 of the present application, as amended on August 25, 2003, is a clarification of original claim 1 to more clearly recite the structural elements of claim 2, and is supported by the figures. The amendment also clarified that the light guide plate is made by melt molding a soft polymer and a thermoplastic resin. Written disclosure support for the soft polymer may be found in paragraph [0037] of JP10-347265 and paragraph [0046] of JP11-22049.

The recitation of claim 3 of the length of the diagonal being at least 10 inches is supported, for example, by paragraph [0071] of JP10-347265 (page 34, line 24, of verified translation). The recitation of claim 4 is also supported by this paragraph.

Support for the recitation of grooves in claim 5 may be found in paragraph [0088] of JP11-22049 and paragraph [0072] of JP10-347265, as well as the Figures.

Support for the recitation of claim 6 may be found in claim 2 of JP10-347265.

Support for the recitation of claim 7 that the thermoplastic resin has a glass transition temperature of at least 70 °C may be found in paragraph [0017] of JP10-347265.

Support for the recitation of claim 9 that the thermoplastic resin containing an alicyclic structure is a norbornene-based polymer may be found in paragraph [0026] of JP10-347265 (page 13, line 7, of verified translation).

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Verified Translation of Japanese Patent Application No. 10-347265
Verified Translation of Japanese Patent Application No. 11-22049